

**FALLBROOK PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
SPECIAL BOARD MEETING**

**MINUTES**

**TUESDAY, AUGUST 20, 2019  
1:30 P.M.**

**FALLBROOK PUBLIC UTILITY DISTRICT  
990 E. MISSION RD., FALLBROOK, CA 92028  
PHONE: (760) 728-1125**

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**I. PRELIMINARY FUNCTIONS**

**CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM**

President McDougal called the special meeting of the Board of Directors of the Fallbrook Public Utility District to order at 1:30 p.m. A quorum was established, and attendance was as follows:

**Board of Directors**

**Present:** Don McDougal, Member/President  
Jennifer DeMeo, Member/Vice-President  
Dave Baxter (*officially seated at 3:25 p.m.*)  
Ken Endter, Member  
Charley Wolk, Member

**Absent:** None

**General Counsel/District Staff**

**Present:** Paula de Sousa Mills, General Counsel  
Jack Bebee, General Manager  
Mary Lou West, Secretary

**PLEDGE OF ALLEGIANCE**

President McDougal led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**MOTION:** Director Endter moved to approve the agenda as presented; Director Wolk seconded. Motion passed; VOTE:

**AYES:** Directors DeMeo, Endter, McDougal, and Wolk

**NOES:** None

**ABSTAIN:** None

ABSENT: None

**PUBLIC COMMENT**

*Members of the public are invited to address the Board of Directors on any item that is within the subject matter jurisdiction of the legislative body. The Board President may limit comments to three (3) minutes.*

There were no members of the public present.

**II. ACTION / DISCUSSION -----(ITEMS A–B)**

**A. CONSIDER CANDIDATES TO FILL VACANCY FOR BOARD OF DIRECTORS SUBDISTRICT NO. 1 (INTERVIEW TIMES ARE APPROXIMATE.)**

1:30 p.m.: Robert Anderson

1:50 p.m.: Dave Baxter

2:10 p.m.: Palmer Dale Diamond

2:30 p.m.: Jim Dooley

2:50 p.m.: Eric W. Strahan

3:10 p.m. Kathleen A. Thuner

**MOTION:** Director Endter moved to select Dave Baxter to fill the vacancy for Board of Directors Subdistrict No. 1; Director Wolk seconded. Motion passed; VOTE:

**AYES:** Directors DeMeo, Endter, McDougal, and Wolk

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**B. CONSIDER ADOPTING RESOLUTION NO. 4980 APPOINTING A CANDIDATE TO FILL VACANCY FOR BOARD OF DIRECTORS SUBDISTRICT NO. 1**

*Recommendation: That the Board adopt Resolution No. 4980 appointing a candidate from the selection process to fill the vacancy and unexpired term for Subdistrict No. 1 on the Board of Directors of the Fallbrook Public Utility District effectively immediately.*

**MOTION:** Vice-President DeMeo moved to adopt Resolution No. 4980 appointing Dave Baxter to fill the vacancy and unexpired term for Subdistrict No. 1 on the Board of Directors of the Fallbrook Public Utility District effective immediately; Director Endter seconded. Motion passed; VOTE:

AYES: Directors DeMeo, Endter, McDougal, and Wolk  
NOES: None  
ABSTAIN: None  
ABSENT: None

At 3:25 p.m., Dave Baxter was administered the Oath of Office by the Secretary and officially assumed the seat for Subdistrict No. 1.

ADJOURN TO CLOSED SESSION

General Counsel de Sousa Mills read aloud Closed Session Item III. 1. Following the announcement, the Board adjourned to Closed Session at 3:54 p.m.

**III. CLOSED SESSION ----- (ITEM 1)**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
SIGNIFICANT EXPOSURE TO LITIGATION PER GC § 54956.9 (d)(2)

- *Two (2) Potential Cases*

RECONVENE TO OPEN SESSION

The Board returned from Closed Session and reconvened to Open Session at 3:53 p.m.

REPORT FROM CLOSED SESSION (*As Necessary*)

President McDougal announced there was no reportable action taken in Closed Session.

**III. ADJOURNMENT OF MEETING**

There being no further business to discuss, President McDougal adjourned the special meeting of the Board of Directors of the Fallbrook Public Utility District at 3:54 p.m.

  
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President, Board of Directors

ATTEST:

  
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Secretary, Board of Directors